

REMARKS

Claims 1-7, 22 and 24 remain in this application. Claims 1-24 are rejected. Claims 18-21 and 23 are cancelled herein. Claims 25-36 are previously cancelled. Claims 1-7 and 22-24 are amended herein to clarify the invention.

CLAIM REJECTIONS UNDER 35 U.S.C. § 112, SECOND PARAGRAPH

Claims 1-24 are rejected as indefinite under 35 U.S.C. § 112, second paragraph, for failing to particularly point out and distinctly claim the subject matter of the invention as a result of informalities stated in the Office Action. The claims are amended to remove or correct the informalities noted in the Office Action. With regard to the Examiners's comment that the claims do not define the area as "being accessible to specific binding partner," it is call to the Examiner's attention that the claims specifically state "said area having immobilized specific binding partners for affinity binding complementarily associated binding partners." Thus, it is unclear why the Examiner believes the area should be accessible to specific binding partners when the area already is claimed as having the specific binding partners. Clarification is required if this rejection is continued.

Therefore, reconsideration of the rejection of the claims and their allowance are earnestly requested.

CLAIM REJECTIONS UNDER 35 U.S.C. § 102(b)

Claims 1, 2, 3, 17, 18, and 22-24 are rejected under 35 U.S.C. § 102(b) as being anticipated by the Yamashita reference. Applicant herein respectfully traverses these rejections. "Anticipation requires the presence in a single prior art reference disclosure of each and every element of the claimed invention, *arranged as in the claim.*" *Lindemann Maschinenfabrik GmbH v. American Hoist & Derrick Co.*, 221 USPQ 481, 485 (Fed. Cir. 1984) (emphasis added). It is respectfully submitted that the cited reference is deficient with regard to the following.

Claim 1 is now amended to incorporate the subject of claim 19 which was not rejected based on prior art. Since claim 19 was not rejected on prior art, it appears inherent that its subject matter is allowable as should be amended claim 1.

In view of the above, it is respectfully submitted that claims 1, 2, 3, 17, 18, 22, and 24 particularly describe and distinctly claim elements not disclosed in

the cited reference. Therefore, reconsideration of the rejections of claims 1, 2, 3, 17, 18, 22, and 24 and their allowance are respectfully requested.

CONSIDERATION OF INFORMATION DISCLOSURE REQUESTED


Applicants respectfully request that the examiner indicate consideration the Information Disclosure Statement and reference filed September 19, 2002, in the next Office Action as consideration has not presently been indicated.

TIME EXTENSION REQUEST

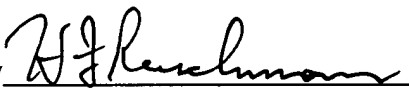
Applicant respectfully requests a three month extension of time for responding to the Office Action. Please charge the fee of \$490.00 for the extension of time to Deposit Account No. 10-1250.

In light of the foregoing, the application is now believed to be in proper form for allowance of all claims and notice to that effect is earnestly solicited. Please charge any deficiency or credit any overpayment to Deposit Account No. 10-1250.

Respectfully submitted,
JORDAN AND HAMBURG LLP

By 
C. Bruce Hamburg
Reg. No. 22,389
Attorney for Applicants

by and,

By 
Herbert F. Ruschmann
Reg. No. 35,341
Attorney for Applicants

Jordan and Hamburg LLP
122 East 42nd Street
New York, New York 10168
(212) 986-2340